

REMARKS/ARGUMENTS

Reconsideration and withdrawal of the rejections of the application are respectfully requested in view of the following remarks.

I. STATUS OF THE CLAIMS AND FORMAL MATTERS

Claims 1-40 are pending in this application. Claims 14-31 are withdrawn. Claim 1 is amended without prejudice hereby.

II. REJECTIONS UNDER 35 U.S.C. §103

Claims 1-11, 13 and 32-40 were rejected under 35 U.S.C. § 102(b) as allegedly anticipated by or, in the alternative, under 35 U.S.C. §103(a) as allegedly obvious over U.S. Patent No. 5,753,085 to FitzPatrick ("FitzPatrick").

Instant claim 1 recites, *inter alia*:

"A substrate ... comprising:
a plurality of individual preformed layers and a polymeric coating or impregnating material or rubber material that is part of each of said individual preformed layers,
wherein each individual preformed layer is a textile layer first coated/impregnated with resin or the rubber material ..." (Emphasis added)

Accordingly, one embodiment of the instant invention is a substrate including a plurality of individual preformed layers and a polymeric coating or impregnating material or rubber material that is a part of each of these individual preformed layers. Each individual preformed layer is a textile layer first coated/impregnated with resin or the rubber material i.e. the individual layers of preformed components are first coated or impregnated with a polymer resin and then combined to form the substrate of a belt for papermaking machine applications.

The properties of the laminated substrate and the requirements of use, such as dewatering as in a shoe press belt or sheet support and uniform pressure distribution in the nip, or ease of transfer of the sheet of paper from one position to another may be predetermined by application

of these processes in the case of a transfer belt. In other words, belts having specific predetermined properties (including different properties on the face and shoe sides or face and back sides of the belt) may be produced by varying the "layers" or structures used in forming the instant substrate.

Paragraphs 0036 and 0042 of the instant application clearly indicate that each layer that makes up the belt is laminated to an adjacent layer. Each preformed layer is a "textile layer" or a textile layer coated/impregnated with resin. The individual layers are first coated/impregnated with a polymer resin and then combined to form the substrate of the belt for papermaking machine applications. The coating/impregnating of the layers of the textile substrate can be carried out by the process described in FitzPatrick. Each layer has either a coating already, or has a layer of fusible material inserted between layers to allow lamination to take place (paragraphs 0038, 0042). It should also be noted that the instant technique causes complete lamination between adjacent layers (100% coverage). Finally, the laminate could have a further resin coating as disclosed in paragraph 44 of the instant specification.

FitzPatrick, on the other hand, discloses a nip press belt having a textile substrate impregnated and coated on at least one side with a polymeric resin material. FitzPatrick does not disclose a multilayer structure as claimed in claim 1. In the Office Action, the Examiner relies upon Fig. 6 and its accompanying disclosure in FitzPatrick to teach the claim limitations. Applicant respectfully disagrees.

FitzPatrick, and Fig. 6 specifically, shows three layers of material (e.g. yarns) not woven together. *After* those layers are brought into contact with each other, a *single* coating layer 50 is applied to this entire substrate of layers (See col. 5, lines 38-49 of FitzPatrick). FitzPatrick specifically discloses that the transverse continuous fine filaments 46 and longitudinal

continuous fine filaments 48 are *not interwoven* with one another, but form a non-woven matrix.

[A] polymeric resin coating 50 is provided on both sides of long nip press belt 44. Applicant respectfully submits that to those of ordinary skill in the art, the single polymeric resin coating 50 in FitzPatrick is clearly different from the *distinct* resin layers of the instant invention i.e. a polymeric coating or impregnating material or rubber material that is part of *each* of said individual preformed layers.

The Advisory Action dated June 2, 2008 alleges that FitzPatrick illustrates a multi-layer structure via Figure 5's multilayer weave, implacably referring to Col. 5, lines 26-37, and in particular, lines 32-35. What Figure 5 clearly shows is "[t]ransverse yarns, 30 are interwoven with longitudinal yarns 40 in a multilayer weave. First, there is no plurality of individual preformed layers" that are "textile layers." Figure 5 shows a single textile layer formed of a multilayer weave. Because FitzPatrick's layers "are formed by interweaving, each individual layer cannot be preformed, nor first coated/impregnated with resin or the rubber material.

The Advisory Action also asserts that "FitzPatrick fails to teach a plurality of layers impregnated with a material because the resin of FitzPatrick is applied to the surfaces of the belt." With all due respect, the Advisory Action mischaracterized the Applicant's remarks. Whether FitzPatrick shows or does not show a plurality of impregnated layers is not germane to Applicant's argument above and in the previous response. The Applicant unambiguously argued, with emphasis, that FitzPatrick fails to teach "a plurality of individual preformed layers and a polymeric coating or impregnating material or rubber material that is part of each of said individual preformed layers."

Therefore Applicant submits that FitzPatrick fails to teach or suggest the above discussed feature of claim 1. Specifically, FitzPatrick does not disclose or suggest a substrate comprising a

plurality of individual preformed layers and a polymeric coating or impregnating material or rubber material that is a part of each of these individual preformed layers, wherein each individual preformed layer is a textile layer first coated/impregnated with resin or the rubber material, as recited in instant claim 1.

For at least the foregoing reasons, Applicant respectfully submits that claim 1 is patentably distinguished over FitzPatrick, and therefore is allowable. Since independent claim 32 is similar or somewhat similar in scope to claim 1, it is also allowable for similar reasons.

III. DEPENDENT CLAIMS

Claims 2-13 and 33-40 in this application are each dependent from one of the independent claims discussed above and are therefore patentable for at least the same reasons. Since each dependent claim is also deemed to define an additional aspect of the invention, however, the individual reconsideration of the patentability of each on its own merits is respectfully requested.

In the event that the Examiner disagrees with any of the above arguments, it is respectfully requested that the Examiner specifically indicate those portions of the respective reference providing the basis for a contrary view.

CONCLUSION

For the reasons stated above, Applicants respectfully request a favorable reconsideration of the application, reconsideration and withdrawal of the rejections of the pending claims, and prompt issuance of a Notice of Allowance.

Respectfully submitted,
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